



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

July 24, 2013

Mr. Bob Edwards
Lahontan Basin Area Office
U.S. Department of the Interior
Bureau of Reclamation
705 North Plaza Street, Room 320
Carson City, Nevada 89701

Subject: Newlands Project Draft Resource Management Plan and Environmental Impact Statement,
Churchill, Lyon, Storey, and Washoe Counties, Nevada (CEQ# 20130156)

Dear Mr. Edwards:

The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Newlands Project Draft Resource Management Plan pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The EPA commends the Bureau of Reclamation (Reclamation) for developing a broad range of alternatives for sustainably managing the planning area, and is pleased that many protective measures have been incorporated into the Preferred Alternative. These measures, including prohibiting off-road vehicle operation except by special use permit, prohibiting mineral development in wetlands, wildlife areas, and riparian habitats, and designating sensitive biological, cultural, and hazardous areas as exclusion or avoidance zones, should serve as crucial safeguards for planning area resources.

Based on our review of the Draft RMP/DEIS, we have rated the Preferred Alternative and the document as *Lack of Objections – Adequate* (LO-1) (see the enclosed "Summary of EPA Rating Definitions"). Reclamation has done a commendable job addressing the two main rationales for updating the Newlands RMP: to identify and analyze the relinquishment of non-essential Reclamation-administered lands, and to develop and implement a grazing management plan for the pastures currently hosting livestock activities that will remain under Reclamation management.

The Draft RMP/EIS clearly describes the need for a robust grazing management plan, both to address pervasive, long-term damage from livestock within the planning area, and to ensure that future grazing activities comport with Reclamation Manual Directives and Standards as well as with requirements under NEPA. The Draft Grazing Management Plan (Plan) contains a number of critical components, including evaluations of land health conditions on all pastures where grazing is currently permitted; protections for riparian areas, soils, and special status species; and monitoring requirements, all of which should, over time, restore rangeland health within the planning area.

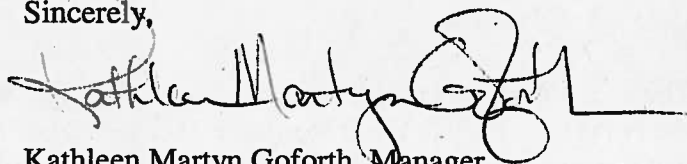
The EPA recommends that, in addition to the proposed Plan, Reclamation adopt the recommendations identified by Forest Service staff during a 2009 assessment of grazing areas in the Newlands Project planning area, and incorporate them into the pasture plans that will be prepared for grazing areas that

will be retained by Reclamation. Implementation of these recommendations, including closing reseeded pastures a minimum of two years, changing the season of use, developing rotation systems, allowing several years of rest for smaller pastures, and implementing utilization limits, should hasten the recovery of Reclamation lands long-stressed from livestock activities.

We also recommend that the Final RMP/EIS include additional information on how climate change may affect planning area resources and future Newlands Project management decisions. The Draft RMP/EIS provides little detail about how climate change may affect the planning area. The EPA believes that the long duration of this management plan (most likely two or three decades), and the warming anticipated to occur in the planning area, as described in the Draft RMP/EIS, warrants the inclusion of a climate change mitigation and adaptation plan in the Final RMP/EIS.

We appreciate the opportunity to review this Draft RMP/EIS, and are available to discuss our comments. When the Final RMP/EIS is released, please send one CD copy to this office. If you have any questions, please contact me at 415-972-3521, or contact Jason, the lead reviewer for this project. Jason can be reached at 415-947-4221 or gerdes.jason@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Martyn Goforth', with a long horizontal line extending to the right.

Kathleen Martyn Goforth, Manager
Environmental Review Office

Enclosure: Summary of EPA Rating Definitions

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

